

Committee: Planning Policy Working Group

Date:

Title: Local Plan – Representations update

10 January 2019

Report Author: Stephen Miles, Planning Policy Team Leader,
346

Item for decision:
No

Summary

1. A summary of representations from the Regulation 19 representation period and the Addendum of Focussed Changes is provided for PPWG.

Recommendations

2. That Planning Policy Working Group considers the summary of representations.

Financial Implications

3. Not applicable.

Background Papers

4. None

Impact

- 5.

Communication/Consultation	The Local Plan was published for a representation period in the summer of 2018, and the Addendum of Focussed Changes was published for a representation period in the Autumn of 2018.
Community Safety	This is an underlying theme of the Local Plan
Equalities	The Regulation 19 Local Plan was subject to an equalities impact assessment, which confirms that there are no inequalities identified that cannot be easily addressed or legally justified. Officers reviewed the Equalities Impact Assessment for the Regulation 19 Local Plan and considered it did not need to be updated as a result of the proposed changes in the addendum.

Health and Safety	Health and wellbeing of the Uttlesford community is an important theme of the Local Plan and is considered as part of the sustainability appraisal/ strategic environmental assessment of the Local Plan.
Human Rights/Legal Implications	The Local Plan needs to comply with human rights and planning legislation. The regulatory framework is provided by the Planning and Compulsory Purchase Act 2004 (as amended) and related statutory instruments. Once adopted it will form part of the statutory development plan.
Sustainability	This is an underlying theme of the Local Plan e.g. ensuring homes and jobs are provided near to each other and minimising reliance on the private car. The Local Plan is subject to sustainability appraisal/ strategic environmental assessment throughout its preparation.
Ward-specific impacts	All
Workforce/Workplace	The Local Plan is a key corporate document and officers from across the council's services have contributed to its preparation.

Situation

6. Officers have summarised the representations from the Regulation 19 representation period in the summer and the Addendum of Focussed Changes representation period in the autumn. These can be found at Appendix 1 to this report.
7. These representations will be submitted to the Secretary of State alongside the Local Plan later in the month.

Risk Analysis

8.

Risk	Likelihood	Impact	Mitigating actions
The Council fails to submit the Local Plan to the Secretary of State	1 – The Council is on track to submit the Local Plan	4 – Failure to submit the Local Plan under the	Officers are working to ensure the Local Plan can be submitted under the transitional

under the NPPF transitional arrangements	on or before 24 January 2019	transitional arrangements means that the housing and policy requirements would need to be in line with the NPPF 2018	arrangements.
The plan submitted for examination is not legally complaint or is found unsound	<p>2 – Officers have sought to discharge the duty to cooperate by regular meetings and the production of Memorandums of Understanding (MoUs) and/or Statements of Common Ground.</p> <p>Officers have developed an evidence based plan that seeks to meet the full growth requirements of the District</p>	4. If duty to cooperate is not demonstrated, that failure could not be mitigated by modifications.	<p>The Council has engaged with statutory bodies and either entered into or is seeking to enter into a MoU or Statement of Common Ground.</p> <p>Officers have engaged regularly with PINS and keep up to date with local plan examinations.</p> <p>The Council retains the services of legal and other professional specialists.</p>
The Inspector carrying out the Examination of the Plan recommends modifications to make the Local Plan a “sound” Plan	4 – Generally, modifications will be recommended	2 – Will result in a sound Local Plan which will form a robust basis for guiding development and investment and determining planning	

		applications.	
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- 1 = Little or no risk or impact
- 2 = Some risk or impact – action may be necessary.
- 3 = Significant risk or impact – action required
- 4 = Near certainty of risk occurring, catastrophic effect or failure of project.